

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DEANNA PIERCE,

*Plaintiff,*

v.

CITY OF PHILADELPHIA,

*Defendant.*

CIVIL ACTION  
NO. 17-05539

**ORDER**

**AND NOW**, this 28th day of December, 2018, upon consideration of Plaintiff's Motion for Partial Summary Judgment (ECF No. 32), Defendant's Response (ECF No. 41), Plaintiff's Reply (ECF No. 43), Defendant's Motion for Summary Judgment (ECF No. 34), Plaintiff's Response (ECF No. 40), Defendant's Reply (ECF No. 42) and after hearing oral argument (ECF No. 53), it is hereby **ORDERED** that

1. Plaintiff's Motion is **DENIED**;
2. Defendant's Motion is **GRANTED** as to
  - a. Plaintiff's claims that Defendant discriminated against her by failing to promote her to the CJO Director position;
  - b. Plaintiff's hostile work environment discrimination claims;
  - c. Plaintiff's claims that Defendant retaliated against her by failing to promote her to the CJO Director position;
  - d. Plaintiff's claim that Defendant retaliated against her by issuing Employee Violation Reports in violation of § 1981; and
  - e. Plaintiff's retaliatory hostile work environment claim under § 1981;

3. Defendant's Motion is **DENIED** as to

- a. Plaintiff's claims that Defendant discriminated against her by failing to promote her to the HSPA position;
- b. Plaintiff's claims that Defendant retaliated against her by issuing Employee Violation Reports in violation of Title VII, the PHRA and the PFPO; and
- c. Plaintiff's retaliatory hostile work environment claims under Title VII, the PHRA and the PFPO.

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.